

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

PAUL S. MCCARTNEY, et al.,	:	Case No. 3:11-cv-394
	:	
Plaintiffs,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
N AND D RESTAURANTS, INC.,	:	
	:	
Defendant.	:	

CONDITIONAL ORDER OF DISMISSAL

The Court having been advised by the parties that this civil action has been settled;

It is **ORDERED** that this action is hereby **DISMISSED** with prejudice, provided that any of the parties may, upon good cause shown within 60 days, move to reopen the action if settlement is not consummated. Also, if desired, the parties may timely move to substitute a judgment entry contemplated by the settlement agreement.

The Court expressly and explicitly retains jurisdiction to enforce the settlement agreement of the parties.

IT IS SO ORDERED.

Date: January 25, 2013

s/ Timothy S. Black
Timothy S. Black
United States District Judge